

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :
BOARD OF MEDICAL LICENSURE :
AND DISCIPLINE :

IN THE MATTER OF :
ROSE MONSERRATE, M.D. :

ADMINISTRATIVE DECISION

FACTS AND TRAVEL

This matter came on for hearing on July 8, 1998 before the duly appointed Hearing Committee of the Board of Medical Licensure and Discipline (hereinafter "Board"). The Statement of Charges filed by the Department of Health (hereinafter "Department") against Dr. Monserrate alleged that her continued licensure as a medical doctor posed an imminent danger to the public. The allegation set forth the fact that the Department came to its conclusion based upon an "Order of Emergency Suspension of the License" issued against the Respondent by the State of Florida (State's 5). Dr. Monserrate's license to practice medicine within the State of Florida was suspended by emergency proceeding on May 23, 1997. As of this date, Dr. Monserrate's Florida license has not been reinstated.

Based upon her review of the Emergency Order of Suspension issued by the State of Florida, the Director of Health of the State of Rhode Island issued a Summary Suspension of the Respondent's license to practice medicine within the State of Rhode Island due to the Respondent's inability to practice medicine with reasonable skill and safety due to her bi-polar

personality diagnosis and her refusal to take such medication as is necessary to control her psychiatric condition (State's 2). In fact, the Emergency Order of Suspension issued by the State of Florida sets forth the fact that in addition to refusing to take prescribed medications, the Respondent was abusing alcohol which further exacerbated her psychiatric condition.

The Department served Dr. Monserrate with a copy of the Summary Suspension, Statement of Charges, and notice of the within hearing (State's 3).

Dr. Monserrate failed to appear before the Board and/or otherwise contact the Board or the Department relative to defense of the pending charges. The Department has requested that the Board reciprocally suspend the Respondent's license to practice medicine within the State of Rhode Island based upon the Order of the Florida Board and the facts set forth therein.

The Board notes that Respondent has not practiced medicine within the State of Rhode Island in over ten (10) years, and that prior to the Summary Suspension, Respondent's license in the State of Rhode Island was on "inactive" status.

CONCLUSIONS

The record reflects that the Respondent's medical license was suspended by the State of Florida. The facts upon which the Florida license was suspended support the conclusion that the Respondent is impaired, is not fit to practice medicine at this time and, that if permitted to continue in the practice of medicine, would constitute a danger to the public.

ORDER

Based upon the foregoing, the medical license of Rose Monserrate issued by the State of Rhode Island is hereby suspended indefinitely. The license shall not be reinstated until such time as Respondent has proven satisfactorily to the Board that she is capable of practicing medicine safely and without danger to the public.

Entered this 5th day of October, 1998.

Sally Thibodeau Ph.D.
Sally Thibodeau, Ph.D., Chair

Barry Jasilli
Barry Jasilli, J.D., Member

Robert Leonard
Robert Leonard, D.O., Member

YOU HAVE 30 DAYS FROM THE DATE OF ENTRY OF THIS ORDER TO FILE AN APPEAL IN THE SUPERIOR COURT.

CERTIFICATION

I hereby certify that I have mailed a true copy of the within Administrative Decision to Rose Monserrate, 1747 Jewel Box Drive, Sanabel, Florida 33957 and a copy was given to Bruce McIntyre, Esquire, Legal Counsel, Board of Medical Licensure and Discipline, Room 205, Department of Health, Cannon Building, Three Capitol Hill, Providence, RI on this 5th day of October, 1998.

Jacqueline C. Landry

Ratification

Based upon the Decision of the Hearing Panel, after Due Notice and Hearing, the Order
Of the Hearing Panel is hereby Ratified and shall become effective as of this date.

Patricia A. Nolan, MD, MPH

Patricia A. Nolan, MD, MPH

Director of Health

October 5, 1998

DATE